

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**IN RE:**

**JOE JESSE MONGE and  
ROSANA ELENA MONGE,**

**Debtors.**

**ELPASO AREA TEACHERS FEDERAL  
CREDIT UNION,**

**Movant,**

**vs.**

**JOE JESSE MONGE and  
ROSANA ELENA MONGE,**

**Respondents.**

**Case No.: 09-30881-LMC**

**CHAPTER 11**

**RESPONSE TO MOTION OF FOR RELIEF FROM AUTOMATIC STAY AGAINST  
PROPERTY OF THE ESTATE PURSUANT TO 11 U.S.C. SECTION 362(d)  
(WITH WAIVER OF THIRTY DAY HEARING REQUIREMENT)**

**TO THE HONORABLE LEIF M. CLARK, UNITED STATES BANKRUPTCY JUDGE:**

Now comes Joe Jesse Monge and Rosana Elena Monge, Debtors in the above entitled and numbered case by and through Sidney J. Diamond of Sidney Diamond, P.C., their attorney of record and files this Response to Motion for Relief from Automatic Stay Against Property of the Estate Pursuant to 11 U.S.C. Section 362(d) (With Waiver of Thirty Day Hearing Requirement) filed by El Paso Area Teachers Federal Credit Union and would respectfully show the Court the following:

1. The Debtors admit the allegation contained in paragraph 1 through 3 of the Motion.
2. The Debtors deny the allegations contained in paragraphs 4 through 12 of the Motion.

**AFFIRMATIVE DEFENSES**

3. The Property is necessary for the effective reorganization of the estate of the Debtors.

**RESPONSE TO MOTION OF EL PASO AREA TEACHERS FEDERAL CREDIT  
UNION FOR RELIEF FROM AUTOMATIC STAY Page - 1**

**WHEREFORE, THE DEBTORS PRAY:**

1. That the Motion of for Relief from Automatic Stay be denied; and,
2. For such other and further relief as the Debtors may show themselves to be justly entitled.

**DATED:** June 23, 2009

Respectfully submitted,

SIDNEY DIAMOND, P.C.

/s/ Sidney J. Diamond  
By: Sidney J. Diamond  
Attorney for Debtor  
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**CERTIFICATE OF SERVICE**

I, Sidney J. Diamond, do hereby certify that on June 23, 2009, a true and correct copy of the foregoing Response to Motion of for Relief from Automatic Stay filed by El Paso Area Teachers Federal Credit Union was served, via electronic means as listed on the Court's ECF noticing system or by depositing the same in the United States Mail, properly addressed and postage prepaid, to the following parties:

**THE DEBTORS:**

Joe Jesse Monge  
Rosana Elena Monge  
51 Sierra Crest Drive  
El Paso, Texas 79902

**COUNSEL FOR MOVANT:**

Carlos A. Miranda, III  
5915 Silver Springs, Bldg. 3A  
El Paso, TX 79912

**THE UNITED STATES TRUSTEE:**

Kevin Epstein  
Office of the United States Trustee  
P.O. Box 1539  
San Antonio, TX 78295-1539

/s/Sidney J. Diamond  
Sidney J. Diamond